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July 20, 2005

BY HAND DELIVERY

Edward D. Ryan
Campaign Finance Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Letter dated June 15, 2005, regarding October Monthly Report (9/1/04-9/30/04)

Dear Mr. Ryan:

On behalf my client, the Republican Party of Louisiana ("the Party"), I am writing in response to the Commission's letter dated June 15, 2005, regarding the Party's October Monthly Report (9/1/04-9/30/04). Please note that the Party filed an amendment to the October Monthly Report on July 8, 2005. The amendment addressed an issue raised by the Commission concerning the August Monthly Report (7/1/04-7/31/04).

First, the Commission asked the Party to classify a receipt listed on Line 17 of the October Monthly Report. On or about September 3, 2004, The Billy Tauzin Congressional Committee transferred \$35,000 in excess campaign funds to the Party. The Federal Election Campaign Act, as amended, permits principal candidate committees to transfer unlimited sums to state political parties. See 2 U.S.C. § 439a; 11 C.F.R. § 113.2(c). Therefore, the Party properly listed the receipt on Line 17. For additional clarification, the Party has designated the itemization as a "transfer of excess funds" on the accompanying amendment to the October Monthly Report.

Second, the Commission requested that the Party clarify its cash-on-hand reporting for the October Monthly Report. The Party's first amendment to the October Monthly Report, which it filed on July 8, 2005, disclosed the proper cash-on-hand balances for this reporting period. Reports filed by the Party list:

- An \$80,682.33 cash-on-hand balance for the close of the September Monthly reporting period (8/1/04-8/31/04).

- An \$80,682.33 cash-on-hand balance for the beginning October Monthly reporting period (9/1/04-9/30/04).

Third, the Commission requested clarification of whether disbursements listed on Schedule B were payments for public communications that qualified as expenditures, exempt party activities, or federal election activities. "Public communications" include messages in a broadcast, cable or satellite communication; newspaper; magazine; outdoor advertising facility; mass mailing or telephone bank to the general public; or any other form of general public political advertising. See 2 U.S.C. § 431(22); 11 C.F.R. § 100.26. They do *not* include communications over the Internet. See 2 U.S.C. § 431(22); 11 C.F.R. § 100.26.

To list a public communication payment properly on a Federal Election Commission disclosure form, a State party committee must analyze the content of the message. A disbursement for a public communication that refers to a clearly identified candidate for federal office and that promotes, supports, attacks, or opposes any federal candidate constitutes a "federal election activity." See 2 U.S.C. § 431(20)(A)(iii); 11 C.F.R. § 100.24(b)(3). The payment must be listed on Schedule B supporting Line 30(b). See 2 U.S.C. § 431(20); 11 C.F.R. § 100.24; F.E.C. Instructions for Form 3X (Dec. 2004).

Alternatively, payment for a public communication containing express advocacy – a message that advocates the election or defeat of a clearly identified candidate – must be disclosed as an independent expenditure on Schedule E supporting Line 24. See 2 U.S.C. § 431(17)(A); 11 C.F.R. § 100.22(a); F.E.C. Instructions for Form 3X (Dec. 2004). Disbursements for certain party activities, however, such as the distribution of slate cards, the dissemination of campaign materials by volunteers, and "get-out-the-vote" drives for Presidential nominees, are exempt from the "expenditure" definition. See 11 C.F.R. §§ 100.140, 100.147, and 100.149. The payments may be reported as "federal operating expenditures" on Schedule B supporting line 21(b). See 11 C.F.R. §§ 100.140, 100.147, and 100.149; F.E.C. Instructions for Form 3X (Dec. 2004). See also Campaign Guide for Political Party Committees, at 38 (Aug. 2004).

The Party disclosed the following disbursements on Line 21(b) of its October Monthly Report.

- A \$8,180.36 payment to Direct Mail Systems, Inc. on September 21, 2004. The purpose of the disbursement was for a "Direct Mail – Party Donation Drive." The Party's accompanying amendment to this report explains that the purpose of the disbursement was for a State Fundraising Solicitation. The disbursement was not on behalf of a specifically identified federal candidate. Therefore, the Party properly disclosed the disbursement on Line 21(b) of the October Monthly Report.
- A \$780.78 payment to Direct Mail Systems, Inc. on September 21, 2004. The purpose of the disbursement was for a "Direct Mail – Party Donation Drive." The Party's accompanying amendment to this report explains that the purpose of the disbursement was for a State Fundraising Solicitation. The disbursement was not on behalf of a

specifically identified federal candidate. Therefore, the Party properly disclosed the disbursement on Line 21(b) of the October Monthly Report.

- A \$882 payment to Direct Mail Systems, Inc. on September 28, 2004. The purpose of the disbursement was for a "Direct Mail - Party Donation Drive." The Party's accompanying amendment to this report explains that the purpose of the disbursement was for a State Fundraising Solicitation. The disbursement was not on behalf of a specifically identified federal candidate. Therefore, the Party properly disclosed the disbursement on Line 21(b) of the October Monthly Report.
- A \$1,076.73 payment to Office Depot Credit Card on September 22, 2004. The purpose of the disbursement was for "FEA Printing." The payment qualified as an exempt volunteer activity. Therefore, the Party properly disclosed the disbursement on Line 21(b) of the October Monthly Report.

The Party also disclosed the following disbursements on Line 30(b) of the October Report.

- A \$11,450 payment to Giles & Associates on September 8, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the October Monthly Report.
- A \$200 payment to the N. Louisiana Cotton Festival on September 22, 2004. The purpose of the disbursement was for an "FEA Fair Booth." The Party's accompanying amendment to this report explains that the purpose of the disbursement was for Grassroots Support. Therefore, the Party has listed the payment on Line 30(b) as generic campaign activity. The disbursement was not on behalf of a specifically identified federal candidate.
- A \$400 payment to the State Fair of Louisiana on September 13, 2004. The purpose of the disbursement was for an "FEA Festival Booth." The Party's accompanying amendment to this report explains that the purpose of the disbursement was for Grassroots Support. Therefore, the Party has listed the payment on Line 30(b) as generic campaign activity. The disbursement was not on behalf of a specifically identified federal candidate.
- A \$500 payment to the Republican Party of EBR on September 13, 2004. The purpose of the disbursement was for an "FEA Gun Show." The Party's accompanying amendment to this report explains that the purpose of the disbursement was for Grassroots Support. Therefore, the Party has listed the payment on Line 30(b) as generic campaign activity. The disbursement was not on behalf of a specifically identified federal candidate.

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- A \$500 payment to MENSAJE on September 27, 2004. The purpose of the disbursement was for an "FEA Festival Booth." The Party's accompanying amendment to this report explains that the purpose of the disbursement was for Grassroots Support. Therefore, the Party has listed the payment on Line 30(b) as generic campaign activity. The disbursement was not on behalf of a specifically identified federal candidate.
- A \$5,000 payment to Screen Printing Express on September 23, 2004. The purpose of the disbursement was for "FEA Printing." The Party's accompanying amendment to this report explains that the purpose of the disbursement was to purchase Yard Signs, an exempt volunteer activity. Therefore, the Party has listed the payment on Line 21(b).
- A \$35,870.20 payment to Targeted Creative Communications on September 27, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the October Monthly Report.
- Three \$300 payments to the U.S. Postmaster on September 7, 2004. The purposes of the disbursements were for "FEA Postage." The payments qualified as an exempt volunteer activities. Therefore, the Party disclosed the disbursements on Line 21(b) of the accompanying amendment to the October Monthly Report.

Fourth, the Commission has asked the Party to clarify all expenditures made for a "Facility Rental" on Schedule B and Schedule H of the original October Monthly Report.

- On Schedule B, the Party's report listed a \$2,750 payment to 401 Veterans Limited on September 1, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for an office rental. The Party did not rent the office on behalf of any specifically identified federal candidate.
- On Schedule B, the Party's report listed a \$2,000 payment to the Cajun Dome on September 22, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for a State Party Convention. The Party did not rent the facility on behalf of any specifically identified federal candidate.
- On Schedule H4, the Party's report listed a \$1,286 payment to Jacquin Grand Children, LLC on September 1, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for an office rental. The Party did not rent the office on behalf of any specifically identified federal candidate.

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- On Schedule H4, the Party's report listed a \$1,925 payment to R&C Properties, LLC on September 1, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for an office rental. The Party did not rent the office on behalf of any specifically identified federal candidate.
- On Schedule H4, the Party's report listed a \$44 payment to The Storage Center on September 13, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for office storage rental. The Party did not rent the storage space on behalf of any specifically identified federal candidate.

Finally, the Commission requested a clarification of the terms "Admin – Professional Services, Professional Services, FEA Consulting, and Fundraising and Consulting," which the Party used to describe disbursements listed on Schedule B and Schedule H4 of its original October Monthly Report. The Party's report listed thirteen disbursements with these descriptions:

- A \$3,500 payment to PR Louisiana on September 28, 2004 for "Fundraising Consulting." The Party's accompanying amendment explains that the purpose of this disbursement was "Fundraiser Event Coordinator." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$1,219.22 payment to Direct Mailing Services, Inc. on September 22, 2004 for "FEA Consulting." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "Strategy Consulting." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$6,250 payment to Sentinel 21 on September 27, 2004 for "FEA Consulting." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "Volunteer Coordination." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$185 payment to Anna Thompson on September 7, 2004 for "Admin – Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "clerical services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$360 payment to Connor Best on September 7, 2004 for "Admin – Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "clerical services." This disbursement was not on behalf of any specifically identified federal candidate.

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- A \$147.50 payment to Jeanne Leveque on September 7, 2004 for "Admin – Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "clerical services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$80 payment to Nicole Licardi on September 7, 2004 for "Admin – Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "clerical services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$520 payment to Postlethwaite & Netterville on September 13, 2004 for "Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "Accounting Services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$2,760 payment to Postlethwaite & Netterville on September 17, 2004 for "Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "Accounting Services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$122.50 payment to Anna Thompson on September 22, 2004 for "Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "clerical services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$345 payment to Connor Best on September 22, 2004 for "Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "clerical services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$195 payment to Jeanne Leveque on September 22, 2004 for "Admin – Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "clerical services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$365 payment to Nicole Licardi on September 22, 2004 for "Admin – Professional Services." The Party's accompanying amendment to this report explains that the purpose for this disbursement was "clerical services." This disbursement was not on behalf of any specifically identified federal candidate.

Edward D. Ryan

July 20, 2005

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If you have questions or require additional information, please do not hesitate to contact me at
(202) 756-8003.


Sincerely,

A handwritten signature in black ink, appearing to read "Bobby R. Burchfield". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bobby R. Burchfield

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Federal Election Commission
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